

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOB'S DAUGHTERS INTERNATIONAL,

Plaintiff,

v.

HEIDI YOAST,

Defendant.

HEIDI YOAST,

Counterclaim-Plaintiff,

v.

JOB'S DAUGHTERS INTERNATIONAL,
SHELLY COLE aka SHELLY HOWRIGON,
an individual, ROD REID, an individual,

Counterclaim-Defendants.

NO. 16-cv-1573-RSL

PLAINTIFF'S ANSWER TO
DEFENDANT'S COUNTERCLAIM

Plaintiff, Job's Daughter International ("JDI"), by and through the undersigned counsel,
submit this Answer to Defendant's Counterclaim.

I. PARTIES

1. JDI is without knowledge or information sufficient to form a belief as to the
truth or falsity of the allegations in Paragraph 1 of Defendant's Counterclaim and, therefore,
denies same.

PLAINTIFF'S ANSWER TO DEFENDANT'S COUNTERCLAIM - 1
(16-cv-1573-RSL)

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1 2. JDI admits the allegations in Paragraph 2 of Defendant's Counterclaim.

2 3. JDI admits the allegations in Paragraph 3 of Defendant's Counterclaim.

3 4. JDI admits the allegations in Paragraph 4 of Defendant's Counterclaim.

4 **II. JURISDICTION AND VENUE**

5 5. JDI admits this Court has supplemental jurisdiction over Defendant's
6 Counterclaims.

7 **III. COUNTERCLAIM FACTS**

8 6. JDI restates and incorporates by reference its responses to each of the
9 allegations contained in Paragraphs 1 through 5 of Defendant's Counterclaim.

10 7. JDI is without knowledge or information sufficient to form a belief as to the
11 truth or falsity of the allegations in Paragraph 7 of Defendant's Counterclaim and, therefore,
12 denies same.

13 8. JDI is without knowledge or information sufficient to form a belief as to the
14 truth or falsity of the allegations in Paragraph 8 of Defendant's Counterclaim and, therefore,
15 denies same.

16 9. JDI is without knowledge or information sufficient to form a belief as to the
17 truth or falsity of the allegations in Paragraph 9 of Defendant's Counterclaim and, therefore,
18 denies, same.

19 10. JDI is without knowledge or information sufficient to form a belief as to the
20 truth or falsity of the allegations in Paragraph 10 of Defendant's Counterclaim and, therefore,
21 denies same.

22 11. JDI is without knowledge or information sufficient to form a belief as to the
23 truth or falsity of the allegations in Paragraph 11 of Defendant's Counterclaim and, therefore,
24 denies same.

1 12. JDI is without knowledge or information sufficient to form a belief as to the
2 truth or falsity of the allegations in Paragraph 12 of Defendant's Counterclaim and, therefore,
3 denies same.

4 13. JDI denies the allegations contained in Paragraph 13 of Defendant's
5 Counterclaim.

6 14. JDI admits Yoast sent a letter on August 11, 2016, but denies the remaining
7 allegations contained in Paragraph 14 of Defendant's Counterclaim because the letter speaks
8 for itself.

9 15. JDI admits the allegations contained in Paragraph 15 of Defendant's
10 Counterclaim.

11 16. JDI denies the allegations contained in Paragraph 16 of Defendant's
12 Counterclaim.

13 17. JDI denies the allegations contained in Paragraph 17 of Defendant's
14 Counterclaim.

15 18. JDI admits it filed its Complaint against Defendant on October 6, 2016. JDI
16 denies the remaining allegations in Paragraph 18.

17 **IV. COUNT 1: INTENTIONAL INTERFERENCE WITH**
18 **CONTRACTUAL RELATIONS**

19 19. JDI restates and incorporates by reference its responses to each of the
20 allegations contained in Paragraphs 1 through 18 of Defendant's Counterclaim.

21 20. JDI is without knowledge or information sufficient to form a belief as to the
22 truth or falsity of the allegations in Paragraph 20 of Defendant's Counterclaim and, therefore,
23 denies same.

24 21. JDI denies the allegations in Paragraph 21 of Defendant's Counterclaim.

25 22. JDI denies the allegations in Paragraph 22 of Defendant's Counterclaim.

1 23. JDI denies the allegations in Paragraph 23 of Defendant's Counterclaim.

2 24. JDI denies the allegations in Paragraph 24 of Defendant's Counterclaim.

3 **V. COUNT 2: INTERFERENCE WITH BUSINESS EXPECTANCY**

4 25. JDI restates and incorporates by reference its responses to each of the
5 allegations contained in Paragraphs 1 through 24 of Defendant's Counterclaim.

6 26. JDI is without knowledge or information sufficient to form a belief as to the
7 truth or falsity of the allegations in Paragraph 26 of Defendant's Counterclaim and, therefore,
8 denies same.

9 27. JDI is without knowledge or information sufficient to form a belief as to the
10 truth or falsity of the allegations in Paragraph 27 of Defendant's Counterclaim and, therefore,
11 denies same.

12 28. JDI denies the allegations in Paragraph 28 of Defendant's Counterclaim.

13 29. JDI denies the allegations in Paragraph 29 of Defendant's Counterclaim.

14 30. JDI denies the allegations in Paragraph 30 of Defendant's Counterclaim.

15 31. JDI denies the allegations in Paragraph 31 of Defendant's Counterclaim.

16 **VI. COUNT 3: DEFAMATION**

17 32. JDI restates and incorporates by reference its responses to each of the
18 allegations contained in Paragraphs 1 through 31 of Defendant's Counterclaim.

19 33. JDI denies the allegations in Paragraph 33 of Defendant's Counterclaim.

20 34. JDI is without knowledge or information sufficient to form a belief as to the
21 truth or falsity of the allegations in Paragraph 34 of Defendant's Counterclaim and, therefore,
22 denies same.

23 35. JDI denies the allegations in Paragraph 35 of Defendant's Counterclaim.

24 36. JDI denies the allegations in Paragraph 36 of Defendant's Counterclaim.

25 37. JDI denies the allegations in Paragraph 37 of Defendant's Counterclaim.

1 38. JDI denies the allegations in Paragraph 38 of Defendant's Counterclaim.

2 **VII. COUNT 4: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

3 39. JDI restates and incorporates by reference its responses to each of the
4 allegations contained in Paragraphs 1 through 38 of Defendant's Counterclaim.

5 40. JDI denies the allegations in Paragraph 40 of Defendant's Counterclaim.

6 41. JDI denies the allegations in Paragraph 41 of Defendant's Counterclaim.

7 Defendant's prayer for relief requires no response from JDI. To the extent a response is
8 required, Plaintiff denies that Defendant is entitled to any relief whatsoever.

9 **DEFENSES**

10 1. Defendant's claims are barred in whole or in part for failure to state a cause of
11 action upon which relief may be granted.

12 2. Defendant's claims are barred in whole or in part by the doctrines of res judicata
13 and/or collateral estoppel.

14 3. Defendant's claims are barred in whole or in part by the doctrines of laches,
15 waiver, ratification, and estoppel.

16 4. Defendant's claims are barred in whole or in part by the doctrine of unclean
17 hands.

18 5. Defendant's claims are barred in whole or in part by its failure to join necessary
19 and/or indispensable parties.

20 6. Defendant's business and contracts allegedly interfered with were illegal and
21 cannot form the basis of a claim.

22 7. Defendant's statements, if any, cannot form the basis of a claim because they
23 were privileged.

24 8. Defendant's statements, if any, cannot form the basis of a claim because they
25 were truthful.

9. Defendant's claims are barred in whole or in part because the JDI acted reasonably to protect a legally protected interest.

10. Defendant's claims are barred in whole or in part because JDI was justified in its actions.

11. Defendant's claims are barred in whole or in part because JDI acted without an improper purpose.

DATED this 8th day of September, 2017.

s/ Rodney L. Umberger
s/ Daniel J. Velloth
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Attorneys for Plaintiff/Counterclaim-Defendants

CERTIFICATE OF SERVICE

I hereby certify that on September 8, 2017, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 8th day of September, 2017.

s/ Rodney L. Umberger

s/ Daniel J. Velloth

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